

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE		PAGE OF PAGES 1 3		
2. AMENDMENT/MODIFICATION NO. 0002		3. EFFECTIVE DATE April 15, 2003		4. REQUISITION/PURCHASE REQ. NO. SC0600-03-0005/0006/0007		5. PROJECT NO. (If applicable)	
6. ISSUED BY ATTN JANET CRUMP DESC BZC RM 2954 DEFENSE ENERGY SUPPORT CENTER 8725 JOHN J KINGMAN ROAD SUITE 4950 FORT BELVOIR VA 22060-6222 PHONE: (703) 767-9252/FAX: (703) 767-9269		CODE SP0600		7. ADMINISTERED BY (If other than Item 6)			CODE
8. NAME AND ADDRESS OF CONTRACTOR (NO., street, city, county, State, and ZIP Code)				(u)		9A. AMENDMENT OF SOLICITATION NO. SP0600-03-R-0161	
						9B. DATED (SEE ITEM 11) MARCH 31, 2003	
				X		10A. MODIFICATION OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<p>[X] The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers [] is extended [X] is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning <u> 1 </u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted ; or (c) by separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.</p>							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b)							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor [] is not, [] is required to sign this document and return <u> </u> copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)							
<p>THIS AMENDMENT IS AVAILABLE ON DESC'S WEBSITE AT http://www.desc.dla.mil OR http://www.fedbizopps.gov</p> <p>A. Offer Submission Package, Standard Form 1449, Block 1: Change page "97" to page "98."</p> <p>B. Offer Submission Package, pages OSP 22-23: Clause L65.10 REQUIREMENTS FOR COST OR PRICING DATA AND CLAIM FOR EXEMPTION (DESC MAR 1997) is replaced with the attached L65.10.</p> <p>Except as provided herein, all terms and conditions of the document referenced in Items 9A or 10A, as heretofore changed, remain unchanged and in full force and effect.</p>							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				CLAUDIA W. STITES			
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
(Signature of person authorized to sign)				<div style="border-bottom: 1px solid black; width: 150px; margin: 0 auto;"></div> (Signature of Contracting Officer)			

L65.10 REQUIREMENTS FOR COST OR PRICING DATA AND CLAIM FOR EXEMPTION (DESC MAR 1997)

(a) **EXCEPTIONS FROM COST OR PRICING DATA.** In lieu of submitting cost or pricing data, offerors may submit a written request for exception by submitting the market (commercial sales) data information described in the following subparagraphs. It is incumbent upon the offeror to provide sufficient commercial sales data to demonstrate that an exemption exists and should be granted by the Contracting Officer. The Contracting Officer may require additional supporting information, but only to the extent necessary to determine whether an exception should be granted, and whether the price is fair and reasonable.

(b) REQUIREMENTS FOR COST OR PRICING DATA.

(1) If the offeror is not granted an exception from the requirement to submit cost or pricing data, the following applies:

(i) The offeror shall submit cost or pricing data on Standard Form (SF) 1411, Contract Pricing Proposal Cover Sheet (Cost or Pricing Data Required), with supporting attachments prepared in accordance with Table 15-2 of FAR 15.804-6(b)(2).

(ii) As soon as practicable after agreement on price, but before contract award (except for unpriced actions such as letter contracts), the offeror shall submit a Certificate of Current Cost or Pricing Data, as prescribed by FAR 15.804-4.

(iii) By submitting information to qualify for an exception, an offeror is not representing that this is the only exception that may apply.

(c) COMMERCIAL SALES DATA.

(1) Commercial sales are defined as sales to the general public as distinct from sales to the Federal Government. Commercial sales data submissions should not be restricted to industrial and commercial accounts but should include wholesale classes (bulk, resellers, jobbers, and dealers) and retail and bulk sales to airlines. The following commercial sales data, as a minimum, are required:

(i) By refinery and class of customer, total gallons sold to the general public, the weighted average price, and payment terms (e.g., Net 30 days) for this volume for the period of **FEB 17-21, 2003**.

(ii) The price, payment terms, quantity, and date of the lowest price commercial sale for the period of **FEB 17-21, 2003**.

(iii) The weighted average price, payment terms, and total sales volumes per customer for the three largest commercial customers for the period of **FEB 17-21, 2003**.

(2) Commercial sales data should be submitted on an f.o.b. Refinery or Terminal basis for each refined product offered.

(3) Acceptable commercial sales data for the refined products being procured are set forth below.

(4) If the offeror believes its sales quantities and/or prices for the specified period were not representative during that period, it is additionally requested that the offeror provide the indicated sales data for the weekly periods preceding and following the period specified herein and an explanation of the reason for believing the requested information is not representative.

(5) For each military product offered (left column), sales data for commercial products (right column) are requested.

Military Product OfferedCommercial Product/Class of trade

(Fill-in options to be selected by buyer at time of solicitation are as follows:)

JP4

Regular gasoline sales to wholesale/jobber/bulk accounts AND unleaded gasoline sales to wholesale/jobber/bulk accounts, AND Jet A and/or Jet A-1 sales to airlines. If substantial Jet A and/or Jet A1 sales are not made, submit middle distillate (No. 1 FO, No. 2 FO, DF1, DF2 and Kerosene) sales to wholesale/jobber/bulk accounts.

F76

High Sulfur No. 2 FO, DF2, marine gas oil, and F76 sales to wholesale/jobber/bulk accounts.

JP5/JP8

Jet A and/or Jet A1 sales to airlines.

Other

(6) DESC may use the commercial sales data to develop a market price range for the refined products being procured. Commercial sales data submitted will be held confidential if so requested. Commercial sales data should be submitted directly to the Contracting Officer prior to the closing date of this solicitation.

(d) Following is a sample format which the offeror may use to submit commercial sales data. If this format is not suitable, the offeror's own format may be submitted. Alternatively, the EIA 782A, which shows monthly information, is an acceptable format.

L65.10 REQUIREMENTS FOR COST OR PRICING DATA AND CLAIM FOR EXEMPTION (DESC MAR 1997) (CONT'D)

DESC COMMERCIAL SALES DATA FORM

FOR THE PERIOD OF **FEB 17-21, 2003**

COMPANY NAME: _____

COMMERCIAL SALES DATA: THE COMMERCIAL SALES DATA ENTERED BELOW SHOULD REPRESENT SALES ON AN F.O.B. REFINERY OR TERMINAL BASIS TO WHOLESALE CUSTOMERS AND RETAIL SALES TO AIRLINES EXCLUSIVE OF SALES TO THE GOVERNMENT.

COMMERCIAL PRODUCT: _____

REFINERY OR TERMINAL WHERE COMMERCIAL SALES OCCURRED: _____

CLASS OF CUSTOMER (WHOLESALE, JOBBER, BULK, ETC.): _____

TOTAL PERIOD COMMERCIAL SALES VOLUMES: _____ (GALLONS),
WEIGHTED AVERAGE PRICE FOR THIS VOLUME: _____ (PER GALLON),
AND PAYMENT TERMS _____.

INDICATE PRICE, PAYMENT TERMS, QUANTITY, AND DATE OF THE LOWEST PRICE COMMERCIAL SALE FOR THE PERIOD SPECIFIED ABOVE.

PER GALLON: _____ PAYMENT TERMS: _____

GALLONS: _____ DATE OF SALE: _____

LOW PRICE _____ QUANTITY _____

LIST TOTAL MONTHLY SALES TO THE THREE LARGEST VOLUME COMMERCIAL CUSTOMERS AND PAYMENT TERMS FOR THE PERIOD SPECIFIED ABOVE.

CUSTOMER	WEIGHTED AVG PRICE PER GALLON	PAYMENT TERMS	TOTAL QUANTITY (GALLONS)
LARGEST	_____	_____	_____
2ND LARGEST	_____	_____	_____
3RD LARGEST	_____	_____	_____

NOTE: THE COMMERCIAL SALES DATA ON REFINED PRODUCT PRICES AND SALES VOLUME ARE NEEDED FOR EACH COMMERCIAL PRODUCT F.O.B. REFINERY OR TERMINAL WHICH SERVES AS THE BASIS FOR THE OFFEROR'S CLAIM FOR EXEMPTION. THIS FORM MAY BE DUPLICATED AS MANY TIMES AS IS NECESSARY TO ACCOMMODATE THE VARIOUS REFINED PRODUCTS AND POINTS OF COMMERCIAL SALE BEING REPORTED.